

From: May, Peter
Sent: 04 March 2020 13:47
To: 'Minne, Jill'
Subject: RE: URGENT OFFICIAL SENSITIVE - COVID-19 Guidance

Sensitivity: Confidential

Jill

[Just to confirm that I am content!](#)

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From: Minne, Jill [REDACTED]
Sent: 04 March 2020 13:43
To: Brennan, Mike [REDACTED]; Browne, Mark (Deputy Secretary)
[REDACTED] Stewart, Chris (TEO) [REDACTED]
Baker, Derek [REDACTED]; Godfrey, Katrina (Dfl – Perm Sec)
[REDACTED]; Gray, Sue (DoF) [REDACTED] King, Brenda
[REDACTED]; May, Peter [REDACTED]
[REDACTED] McMahan, Denis [REDACTED]
[REDACTED]; Meharg, Tracy <[REDACTED]>; Pengelly, Richard
[REDACTED] Widdis, Hugh [REDACTED] Sterling, David
Cc: Cooke, Michael (HR) [REDACTED] McLaughlin, Mark (DOF)
[REDACTED]; McNabb, Chris [REDACTED] Rooney,
Bernie [REDACTED]
Subject: URGENT OFFICIAL SENSITIVE - COVID-19 Guidance
Importance: High
Sensitivity: Confidential

Very many thanks for the comments received so far on this. The ER team has worked hard on this guidance and you will appreciate that NICSHR can only advise the NICS Board.

It may be helpful to reiterate the factors that shaped the HR advice and guidance for decision by the Board. This included:

- The advice from the Public Health Agency that states employees should self-isolate in a number of situations including travel from a specified country and / or have been advised to do so on medical advice. The purpose of discounting absence for contractual sick pay purposes is to seek to ensure employees stay away from the workplace, thereby avoiding a potential spread of the virus. If we do not exercise flexibility in this matter we will potentially cause employees, who may be infected, to be in the workplace due to a concern as to the impact on contractual sick pay entitlements of being absent. While a number of employees may not be approaching trigger points at this time, an absence due to COVID-19 may well push them closer to same thereby giving rise to concern.
- In terms of COVID-19, it is the request / requirement to self-isolate that, to a large degree, brings this situation into contrast with other reasons for absence.

- The DWP and Scottish Government and other guidance as to how such absences would be handled. The precedent has been established by other substantial public sector organisations approach to this issue and if the NICS was to diverge substantially from this approach there may be implications for employee and industrial relations.
- During the swine flu outbreak of 2009 the NICS adopted a similar approach as to how the absence (and related absence) would be handled. In the guidance issued 10th July 2009 by Corporate HR, at the time, Section 3 – Sickness Absence states: *‘Occupational Sick Pay: Sickness absence due to Swine Flu will be excused from reckoning against the maximum periods of paid absence as set out in the Sickness Absence policy in the HR Handbook.’* The precedent has therefore been set in relation to discounting absence for contractual sick pay purposes.
- TUS has requested this approach.
- NICS HR will monitor the situation very closely and update the guidance, through the NICS Board, to reflect the changing circumstances of COVID-19, how it develops in Northern Ireland and advice from PHA.

I hope this helps.

NICS HR has been advised that C3 leads, managers and TUS are concerned about the lack of advice and I should be grateful for any further comments/steer by 3.00 today with a view to issuing guidance as soon as practicable.

Any queries please do not hesitate to contact me.

Jill Minne
Strategic HR Director, NI Civil Service
3rd Floor | 2-4 Bruce Street | Belfast | BT2 7JD
Contact: [REDACTED]



From: Minne, Jill
Sent: 03 March 2020 20:53
To: [REDACTED] Brennan, Mike [REDACTED]
 Browne, Mark (Deputy Secretary) [REDACTED]; [REDACTED]
 [REDACTED] Stewart, Chris (TEO) [REDACTED]
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 [REDACTED]; Pengelly, Richard [REDACTED];

Widdis, Hugh ; Sterling, David

Cc: Cooke, Michael (HR) ; McLaughlin, Mark (DOF)

; McNabb, Chris

Subject: URGENT OFFICIAL SENSITIVE - COVID-19 Guidance

Importance: High

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Dear NICS Board colleagues

Very many thanks for your responses to the proposals I sent yesterday in relation to COVID-19 and the HR decisions required.

The ER team, DoH colleagues and I have been working on guidance for managers and staff and while we haven't been able to reach agreement with every Board colleague on our overall approach the attached guidance is proposed on the basis of the predominant view. As set out in the attached draft guidance, the NICS' approach to managing its people in relation to COVID-19 is subject to ongoing review and may change.

Specifically there were a number of issues raised by Board colleagues which are now more clearly articulated in the guidance including:

- a. **Issue** Managers will be reliant on the information provided by staff in support of special leave applications; there will be a need for flexibility.
Response Included in Annex A – 'Managers will have to consider the information provided by the staff member in support of the application; managers may have to exercise discretion on occasion as to what information can be provided.'

In developing the guidance we didn't want to present a draconian position of challenge as it is evident from comments made by there may not be enough medical staff to do tests / give fit certs etc when COVID-19 really hits. Key to remember the guidance is a live document which is subject to review and will change as necessary circumstances change.

- b. **Issue** Absence due to COVID-19 symptoms being discounted for absence triggers and absence pay calculations.
Response This has been revised in the guidance and more clearly states in the manager guidance – 'If medical advice has confirmed that a member of your staff's symptoms are consistent with COVID-19 the sick absence must be reported on HRConnect and by email to NICS ER, see Annex 'A' immediately or within 24 hours at the latest. This will not impact on absence trigger points or contractual sick pay, the period of absence will be discounted.

So absence due to symptoms and infection will be discounted. At this stage to try to mitigate against potential abuse of the system we have included the words 'medical advice' in the guidance. If such advice availability becomes unsustainable as the impact of COVID-19 develops this can be amended within the guidance.

- c. **Issue** Consideration of the need for medical certificates to minimise demand on GP services.
Response Michael Cooke will write an options paper for the NICS Board members on the certification issue to seek a decision as to how we move forward

- d. **Issue** Home working is not suitable for all staff.
Response The guidance contains the use of the words **if possible** consider homeworking.

Sincerest apologies for the timeframe but I should very grateful for any comments by 3.00 pm tomorrow if possible.

Should you have any queries please don't hesitate to contact me.

Jill Minne

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